

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: COSENTINO ET AL. Examiner: UNKNOWN  
Serial No.: 10/719408 Group Art Unit: 3736  
Filed: NOVEMBER 21, 2003 Docket: 12771.1USC1  
Confirmation No.: 3341 Notice of Allow. --  
Date: --  
Due Date: --  
Title: APPARATUS AND METHOD FOR MONITORING AND COMMUNICATING WELLNESS  
PARAMETERS OF AMBULATORY PATIENTS

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10-1-04.

By: Kay Fahlend

Name: Kay Fahlend

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, no Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: ME

Name: Mark E. Deffner

Reg. No.: 55,103

MEDeffner:kf



S/N 10/719408

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	COSENTINO ET AL.	Examiner:	UNKNOWN
Serial No.:	10/719408	Group Art Unit:	3736
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By:

*Kay Fahland*  
Name: Kay Fahland

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

In accordance with 37 C.F.R. § 1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent applications, U.S. Serial No. 09/918,247 filed on July 30, 2001, and U.S. Serial No. 09/293,619, filed April 16, 1999.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to

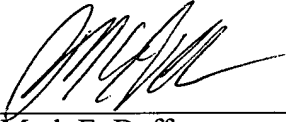
establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

9/30/04  
Date

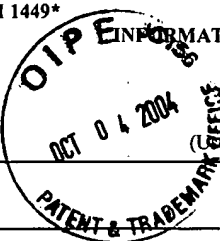
  
\_\_\_\_\_  
Mark E. Deffner  
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(612) 332-5300

MED:kf



10-1-04

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 12771.1USC1	Application Number: 10/719408
	Applicant: COSENTINO ET AL.	
	Filing Date: 11/21/2003	Group Art Unit: 3736



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	Re. 32,361	02/24/1987	Duggan			
	3,743,040	07/03/1973	Cosentino et al.			
	3,925,762	12/09/1975	Heitlinger et al.			
	4,531,527	07/30/1985	Reinhold, Jr. et al.			
	4,712,562	12/15/1987	Ohayon et al.			
	4,838,275	06/13/1989	Lee			
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	4,947,858	08/14/1990	Smith			
	5,012,411	04/30/1991	Policastro et al.			
	5,054,493	10/08/1991	Cohn et al.			
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	5,241,966	09/07/1993	Finkelstein et al.			
	5,307,263	04/26/1994	Brown			
	5,402,794	04/04/1995	Wahlstrand et al.			
	5,406,955	04/18/1995	Bledsoe et al.			
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	5,437,285	08/01/1995	Verrier et al.			
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	5,553,609	09/10/1996	Chen et al.			
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	5,560,370	10/01/1996	Verrier et al.			
	5,594,638	01/14/1997	Iliff			
	5,660,176	08/26/1997	Iliff			
	5,687,717	11/18/1997	Halpern et al.			
	5,711,297	01/27/1998	Iliff			
	5,724,032	03/03/1998	Klein et al.			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

Date Mailed: 10-1-04

Sheet 2 of 4

FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

12771.1USC1

Application Number:

10/719408

Applicant: COSENTINO ET AL.

Filing Date: 11/21/2003

Group Art Unit: 3736

5,724,968	03/10/1998	Iliff			
5,725,559	03/10/1998	Alt et al.			
5,743,267	04/28/1998	Nikolic et al.			
5,758,652	06/02/1998	Nikolic			
5,822,715	10/13/1998	Worthington et al.			
5,828,943	10/27/1998	Brown			
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5,843,139	12/01/1998	Godeke et al.			
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EXAMINER

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6,022,315	02/08/2000	Iliff			
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6,101,478	08/08/2000	Brown			
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6,755,783	06/29/2004	Cosentino et al.			
6,354,996	03/12/2002	Drinan et al.			
2001/0053875 A1	12/20/2001	Iliff			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	DE 43 35 869 A 1	10/27/1994	DE				X
	09173304	07/08/1997	JP (Abstract Only)				

EXAMINER

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Sheet 4 of 4

FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

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(Use several sheets if necessary)

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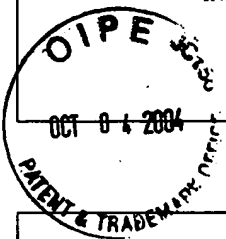
Application Number:

10/719408

Applicant: COSENTINO ET AL.

Filing Date: 11/21/2003

Group Art Unit: 3736



## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Patel, U. et al., "A Computer-Based, Automated, Telephonic System to Monitor Patient Progress in the Home Setting", <i>Journal of Medical Systems</i> , Vol. 16, Nos. 2/3, pp. 101-112 (1992)
		"Technology to Help Meet Standards and Reduce Costs", Alere Medical Incorporated, 6 pages (1998)
		"Telemedicine, Your Partner in Telemedicine", Aerotel Medical Systems, Ltd., Internet at <a href="http://www.aerotel.com/telemed/under.html">http://www.aerotel.com/telemed/under.html</a> , last updated 9/5/98
		"Telemedicine NEW: BP-TEL™ Transtelephonic Blood Pressure: Your Partner In Telemedicine", <a href="http://www.aerotel.com/telemed/">http://www.aerotel.com/telemed/</a> , 2 pgs. (February 6, 2001) last updated
		Yazolino, L., "Effective, Daily At-home Monitoring of Chronically Ill Patients," <i>Medical Electronics</i> , 4 pages (September 1998)
		International Search Report for International Application No. PCT/US 03/07099, 8 pp., July 22, 2003

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